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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Third Committee (A/45/838)]

45/170. The situation of human rights in occupied Kuwait

The General Assembly,

Guided by the principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenants on Human Rights 2/ and the Geneva Conventions of 12 August 1949, 3/

Aware of its responsibility to promote and encourage respect for human rights and fundamental freedoms for all and resolved to remain vigilant with regard to violations of human rights wherever they occur,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and to fulfil obligations they have freely undertaken under the various international instruments,

Condemning the invasion of Kuwait on 2 August 1990 by the military forces of Iraq,

Noting with grave concern that the Iraqi forces in occupied Kuwait continue to commit acts of violence, leaving large numbers of victims and causing enormous human suffering to the civilian population,

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1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

Noting also with grave concern that the treatment of prisoners of war and detained civilians in occupied Kuwait does not conform to the internationally recognized principles of humanitarian law,

Expressing grave concern at the continued refusal of Iraq to receive representatives of humanitarian organizations, especially representatives of the International Committee of the Red Cross and a representative of the Secretary-General, to help in extending humanitarian assistance to the Kuwaiti people under occupation,

1. Condemns the Iraqi authorities and occupying forces for their serious violations of human rights against the Kuwaiti people and third-State nationals and, in particular, the continued and increasing acts of torture, arrests, summary executions, disappearances and abduction in violation of the Charter of the United Nations, the International Covenants on Human Rights, other relevant human rights instruments and the relevant instruments of humanitarian law;

2. Affirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, 4/ applies to Kuwait and that as a high contracting party to the Convention Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it, as are individuals who commit or order the commission of such breaches;

3. Expresses its serious concern about the systematic dismantling and pillaging of and attacks on the economic infrastructure of Kuwait, which seriously undermine the present and future enjoyment by the Kuwaiti people of their economic, social and cultural rights;

4. Expresses its grave concern at the living conditions in occupied Kuwait, especially those of women, children, elderly and third-State nationals, which are becoming increasingly difficult;

5. Expects Iraq to guarantee respect for international standards applicable under international law, in particular with reference to the protection of the civilian population, and demands that Iraq co-operate fully with and give access to Kuwait to representatives of humanitarian organizations, especially the International Committee of the Red Cross, working to alleviate the suffering of the civilian population in occupied Kuwait;

6. Also expects Iraq to comply with its obligations under the Charter and international law in respect of third-State nationals, and demands that Iraq release all nationals of third States;

7. Urges Iraq to treat all prisoners of war and detained civilians in accordance with the internationally recognized principles of humanitarian law and to protect them from all acts of violence, including ill-treatment, torture and summary execution;

4/ Ibid., No. 973.

8. Condemns the rejection by Iraq of the offer of the Government of Kuwait to send humanitarian assistance, especially medicine, to the Kuwaiti people under occupation;

9. Requests the Commission on Human Rights at its forty-seventh session to consider the situation of human rights in occupied Kuwait;

10. Decides to keep under consideration the situation of human rights in occupied Kuwait.

69th plenary meeting
18 December 1990